

Amendment and Response under 37 C.F.R. 1.116

Applicant: Shell S. Simpson et al.

Serial No.: 10/001,721

Filed: October 30, 2001

Docket No.: 10007661-1

Title: WEB-BASED IMAGING SERVICE PROVIDING RESERVATION**REMARKS**

The following Remarks are made in response to the Final Office Action mailed July 17, 2006, in which claims 1-14 were rejected.

With this Amendment, claims 1 and 11 have been amended to clarify Applicant's invention.

Claims 1-14 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 4, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng et al. US Patent No. 6,327,045 in view of Yamazaki US Publication No. 2003/0208607.

Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng et al. US Patent No. 6,327,045 in view of Yamazaki US Publication No. 2003/0208607, and further in view of Ban US Patent No. 6,332,170.

Claims 3, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng et al. US Patent No. 6,327,045 in view of Yamazaki US Publication No. 2003/0208607, and further in view of Duke et al. US Patent No. 6,573,910.

Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng et al. US Patent No. 6,327,045 in view of Yamazaki US Publication No. 2003/0208607, further in view of Duke et al. US Patent No. 6,573,910, and further in view of Fan et al. US Patent No. 6,310,692.

Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng et al. US Patent No. 6,327,045 in view of Yamazaki US Publication No. 2003/0208607, and further in view of Fan et al. US Patent No. 6,310,692.

With this Amendment, independent claim 1 has been amended to clarify that the method includes "estimating, based on said imaging information and said selected production options for said first processing job, a processing time required to process said first processing job using said production device," and clarify that "if processing of a second processing job is requested during a time period conflicting with processing of said first processing job based on the first deferred start time and the estimated processing time of the

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first processing job, providing an option of reserving a second deferred start time for deferred processing of the second processing job, the second deferred start time avoiding conflict with the processing of said first processing job."

With this Amendment, independent claim 11 has been amended to clarify that the destination service is operable to "estimate, based on said first imaging information and said selected production options, a processing time required to process said first imaging information using said production device," and clarify that "if processing of second imaging information using said production device is requested and processing of said second imaging information conflicts with processing of said first imaging information based on the first deferred start time and the estimated processing time of the first imaging information, provide an option of reserving a second deferred start time for deferred processing of said second imaging information, the second deferred start time avoiding conflict with the processing of said first imaging information."

With respect to the Teng et al., Yamazaki, Ban, Duke et al., and Fan et al. patents, Applicant submits that none of these patents, individually or in combination, teach or suggest a method of relieving competition between processing jobs sharing a production device as claimed in independent claim 1, nor a destination service representing a production device as claimed in independent claim 11 including estimating, based on imaging information and selected production options for a first job or first imaging information, a processing time required to process the first job or first imaging information using a production device, such that if processing of a second job or second imaging information is requested during a time period conflicting with processing of the first job or first imaging information based on the first deferred start time and the estimated processing time of the first job or first imaging information, an option of reserving a second deferred start time for deferred processing of the second job or second imaging information is provided, wherein the second deferred start time avoids conflict with the processing of the first job or first imaging information.

In view of the above, Applicant submits that independent claims 1 and 11 are each patentably distinct from the Teng et al., Yamazaki, Ban, Duke et al., and Fan et al. patents and, therefore, are each in a condition for allowance. Furthermore, as dependent claims 2-10 further define patentably distinct claim 1, and dependent claims 12-14 further define patentably distinct claim 11, Applicant submits that these dependent claims are also in a

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condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 1-14 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1-14 be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-14 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 13th day of September, 2006.

By

Name: Scott A. Lund